<center>**Remarks**</center>

The various parts of the Office Action (and other matters, if any) are discussed below under appropriate headings.

Claim Rejections - 35 USC § 103

Claims 1-12, 14-24, 29-42, and 44-58 stand rejected under 35 USC §103(a) as being unpatentable over U.S. Patent Publication No. 2003/0008636 to *McGregor et al.* in view of U.S. Patent Publication No. 2003/0103088 to *Dresti et al.*, U.S. Patent No. 4,951,308 to *Bishop et al.*, U.S. Patent Publication No. 2003/0195825 to *Ehrman et al.*, U.S. Patent No. 6,114,960 to *Hymel*, U.S. Patent No. 5,266,922 to *Smith et al.*, U.S. Patent No. 5,455,560 to *Owen* and/or U.S. Patent No. 5,642,485 to *Deaton et al.* Withdrawal of the rejections is respectfully requested for at least the following reasons.

Claim 1 sets forth a method for securely allocating mobile devices, wherein a host computer accepts as an input an identification code that uniquely identifies at least one user. Based on the identification code, the host computer selectively places a mobile device among the plurality of mobile devices in an operative state, and customizes operation of the selected mobile device to preset preferences of the at least one user, wherein customizing includes *configuring keys of the mobile device to preset functional preferences of the at least one user.* Claim 29 sets forth a mobile device allocation system that includes a host computer and a plurality of mobile devices, wherein the host computer is operative to customize operation of the selected mobile device to preset preferences of at least one user such that *keys of the mobile device are configured to preset functional preferences of the at least one user.*

In rejecting claims 1 and 29, the Examiner admits that *McGregor* is silent on teaching customizing the operation of the mobile device to the preset preferences of the user. However, the Examiner contends that *Dresti* teaches customizing the operation of the mobile device by configuring the keys to preset functional preferences based on the user's identification information, and it would have obvious to combine *McGregor* and *Dresti* to arrive at the invention of claims 1 and 29. Applicants respectfully disagree with the Examiner for at least the following reasons.

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Dresti Does Not Disclose That a Host Computer Sets up the Device

Dresti discloses a hand-held electronic device that has a remote control application interface. The device includes a *setup wizard* that enables the device to be setup to identify users and their preferences.

In describing the setup wizard, *Dresti* states that a "remote control application software 1102 may also include the following high level functions: *setup wizards*;..." (see paragraph [0038] of *Dresti* - emphasis added). Further, and with reference to Fig. 3 of *Dresti* (reproduced at right) the remote control software 1102 resides on the PDA 1150. Clearly, the setup wizard feature *resides on the device* (the PDA in the present example).

FIGURE 3

Dresti further discusses how the setup wizard is used to setup functions on the device. More particularly, *Dresti* discloses that the user interface of the device displays a small number of device buttons (e.g., buttons that would be activated to place the remote control application into a mode to control a device) that would initially be un-setup. *Selection* of an un-setup button can be used to automatically invoke the setup wizard. "Selection" of an un-setup button clearly infers that the button *on the device* is selected (e.g., by pressing the button). Further, *Dresti* discloses that the setup wizard *prompts the user* for the type of install to perform (typical or custom). For custom setup, the *user specifies* what level of device support is desired (see paragraphs [0042]-[0043] of *Dresti*). Each of these operations further confirm that the setup wizard resides on and is executed by the device.

Combining the setup wizard of *Dresti* with the phone distribution system of *McGregor* would result in *a setup wizard being implemented on the rented mobile phone*. Thus, the combination of *Dresti* and *McGregor* cannot teach that the *host computer customizes operation of the selected mobile device to preset preferences of the at least one user*.
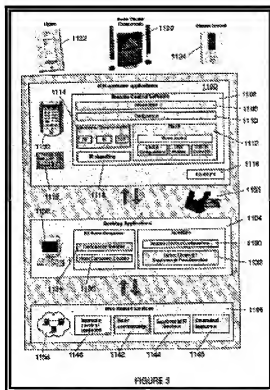
***Dresti Fails to Provide Sufficient Disclosure to Conclude the Registration
Information Is Anything Other than Conventional Registration Information***

Even if the combination of *Dresti* and *McGregor* is somehow interpreted as implementing the setup wizard on the TAU of *McGregor* (as opposed to the mobile phone of *McGregor*), *Dresti* and *McGregor* still do not describe all the features of claims 1 and 29.

More specifically, *Dresti* discloses that the user setup wizard serves to setup the remote control applications 1150 to identify one or more users and their preferences. *Dresti* further discloses that for <u>*initial*</u> user setup, the user setup wizard may read data directly from <u>*owner registration information*</u> files(s) (see paragraph [0041] of *Dresti)*.   In other words, the owner registration files can be used to perform an "initial" user setup, but not necessarily a complete user setup. *Dresti* does not expressly define "initial user setup" or "owner registration information".

Presumably, initial user setup includes at least identifying the users of the device (e.g., their names). This is logical, since a typical first step in setting up a user on a device is identifying the user.

Owner registration information typically pertains to contact information (e.g., name, address, phone number, email address, etc.) that enables the device manufacturer or device seller to contact the device owner in the event of product updates, warranty information and/or related products. *Dresti* has not been found to disclose that the "owner registration information" includes anything other than typical registration information. Without such disclosure, ***<u>one cannot conclude that the owner registration information includes anything but typical registration information</u>*** (e.g., contact information such as names, addresses, etc.). Such typical information would be sufficient to provide <u>*initial*</u> user setup (e.g., setting up a user name on the device) as disclosed in paragraph [0041] of *Dresti*, but it is insufficient to configure keys of the device.

Moreover, paragraphs [0156]-[0160] of *Dresti* describe a user setup function, while paragraphs [0214]-[0219] of *Dresti* describe customization and reassignment of keys. Nowhere in these cited portions of *Dresti*, however, is it disclosed that the user setup wizard configures the keys to preset preference of the user. Instead, the key assignments are performed manually as discussed in paragraphs [0214]-[0219] of *Dresti*.

Thus, the combination of *Dresti* and *McGregor* fails to teach or fairly suggest allocating mobile devices to at least one user, wherein a host computer customizes operation of a selected mobile device to preset preferences of the at least one user,

wherein customizing includes *configuring keys of the mobile device to preset functional preferences of the at least one user*.

The remaining art to *Bishop*, *Ehrman*, *Hymel*, *Smith*, *Deaton* and *Owen* have not been found to make up for the above deficiencies of *McGregor* and *Dresti*.

Accordingly, withdrawal of the rejection of claims 1 and 29 is respectfully requested.

The remaining pending claims directly or indirectly depend from claim 1 or 29 and, thus, are distinguishable over the cited art for at least the same reasons.

New Claims

New claims 65 and 66 are provided for favorable examination.

Conclusion

In view of the foregoing, request is made for timely issuance of a notice of allowance.

Respectfully submitted,

RENNER, OTTO, BOISSELLE & SKLAR, LLP

By /Kenneth W. Fafrak/
    Kenneth W. Fafrak, Reg. No. 50,689

1621 Euclid Avenue
Nineteenth Floor
Cleveland, Ohio 44115
(216) 621-1113

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